

Program C: Criminal Law and Medicaid Fraud Unit

OBJECTIVES AND PERFORMANCE INDICATORS

Unless otherwise indicated, all objectives are to be accomplished during or by the end of FY 2002-2003. Performance indicators are made up of two parts: name and value. The indicator name describes what is being measured. The indicator value is the numeric value or level achieved within a given measurement period. For budgeting purposes, performance indicators are shown for the prior fiscal year, the current fiscal year, and alternative funding scenarios (continuation budget level and Executive Budget recommendation level) for the ensuing fiscal year of the budget document.

The objectives and performance indicators that appear below are associated with program funding in the Base Executive Budget for FY 2002-2003.

DEPARTMENT ID: 04B Department of Justice
 AGENCY ID: 04-141 Office of the Attorney General
 PROGRAM ID: Program C: Criminal Law and Medicaid Fraud

1. (SUPPORTING) Through the Criminal Division, to provide 260 hours of professional training for division attorneys.

Strategic Link: This operational objective is related to the program's Strategic Objective 1.2: *To provide at least 8,400 hours of professional training for Criminal Program employees annually through June 30, 2006. (8,400 total by 2006)*

Louisiana: Vision 2020 Link: Not applicable

Children's Cabinet Link: Not Applicable

Other Link(s): Not Applicable

L E V E L	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES					
		YEAREND PERFORMANCE STANDARD FY 2000-2001	ACTUAL YEAREND PERFORMANCE FY 2000-2001	ACT 12 PERFORMANCE STANDARD FY 2001-2002	EXISTING PERFORMANCE STANDARD FY 2001-2002	AT CONTINUATION BUDGET LEVEL FY 2002-2003	AT RECOMMENDED BUDGET LEVEL FY 2002-2003
S	Percentage of Criminal Division attorneys receiving 15 continuing legal education (CLE) hours during most recent calendar year	100%	100%	100%	100%	100%	100%
S	Number of continuing legal education hours and in- ¹ house training hours	375	794	325	325	375 ^{2,3}	to be established ³

¹ This indicator definition has been expanded to include several areas of training that are necessary for the adequate continuing education of employees; namely, CLE hours, in-house case staffing hours, and externally provided opportunities.

² Due to the reduction in positions and funding to the Department in FY 01-02, the Criminal Program is making an effort to improve work processes so as to return to the performance standards of FY 2000-2001.

³ The agency provided performance information reflecting preliminary budgetary recommendations, however, the agency was unable to provide performance information related to subsequent budget adjustments prior to publication of the Executive Budget.

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 AGENCY ID: 04-141 Office of the Attorney General
 PROGRAM ID: Program C: Criminal Law and Medicaid Fraud

GENERAL PERFORMANCE INFORMATION:					
PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES				
	PRIOR YEAR ACTUAL FY 1996-97	PRIOR YEAR ACTUAL FY 1997-98	PRIOR YEAR ACTUAL FY 1998-99	PRIOR YEAR ACTUAL FY 1999-00	PRIOR YEAR ACTUAL FY 2000-01
Number of cases opened	227	222	203	275	958 ¹
Number of cases closed	117	174	169	213	543 ¹
Number of recusals received	253	179	184	210	211
Number of requests for assistance	25	43	19	65	53
Number of investigative requests	Not applicable ²	Not applicable ²	Not applicable ²	Not applicable ²	14
Number of referrals received	Not applicable ²	Not applicable ²	Not applicable ²	Not applicable ²	52
Total Number of Consultations provided by Criminal Division	Not applicable ²	Not applicable ²	Not applicable ²	Not applicable ²	40
Number of extradition's processed	283	287	248	252	257
Number of insurance fraud consultations	Not applicable ²	Not applicable ²	Not applicable ²	Not applicable ²	21
Number of forensic exams conducted	Not applicable ²	Not applicable ²	Not applicable ²	Not applicable ²	4
Number of request for opinions	17	28	24	23	19
Number of habeas corpus received	Not applicable ²	Not applicable ²	Not applicable ²	Not applicable ²	224
Number of complaints received	Not applicable ²	Not applicable ²	Not applicable ²	Not applicable ²	2
Number of parishes served	30	40	39	41	64
Number of expungement request received	Not applicable ²	Not applicable ²	Not applicable ²	Not applicable ²	82 ³

¹ The performance indicators " Number of cases opened" and "Number of cases closed" are showing stronger numbers due to the inclusion of all data now being tracked in the new case tracking system.

² These performance indicators are nowing being tracked in the new case tracking system and are made part of the performance data indicated herein.

³ Data reflects the period of January 1, 2001 through June 30, 2001.

DEPARTMENT ID: 04B Department of Justice
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2. (SUPPORTING) Through the Investigation Division, to provide at least 1,040 hours of investigative training.

Strategic Link: This operational objective is related to the program's Strategic Objective 1.2: *To provide at least 8,400 hours of professional training for Criminal Program employees annually through June 30, 2006. (8,400 total by 2006)*

Louisiana: Vision 2020 Link: Not Applicable

Children's Cabinet Link: Not Applicable

Other Link(s): Not Applicable

L E V E L	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES					
		YEAREND PERFORMANCE STANDARD FY 2000-2001	ACTUAL YEAREND PERFORMANCE FY 2000-2001	ACT 12 PERFORMANCE STANDARD FY 2001-2002	EXISTING PERFORMANCE STANDARD FY 2001-2002	AT CONTINUATION BUDGET LEVEL FY 2002-2003	AT RECOMMENDED BUDGET LEVEL FY 2002-2003
S	Percentage of investigative staff who participated internal/external training sessions	100%	100%	100%	100%	100%	100%
S	Percentage of investigative staff who participated ¹ in firearms qualification session during most recent calendar year	100%	100%	100%	100%	100%	100%
S	Total training hours provided for investigative staff ²	2,000	1,559	1,200	1,200	1,200 ³	to be established ³

¹ This indicator had been measured as a percentage of all investigative staff for each quarter of the year. We will measure this indicator in only one quarter this next year as investigative staff are only required to "qualify" with their firearm once in the calendar year.

² The Investigation Division will no longer receive a \$10,000 training grant through the Louisiana Commission on Law Enforcement. Due to this loss and other budget constraints, as well as a loss of several investigative staff members who will not be replaced, the total training hours will be less beginning in FY 2001-2002 as compared to prior years.

³ The agency provided performance information reflecting preliminary budgetary recommendations, however, the agency was unable to provide performance information related to subsequent budget adjustments prior to publication of the Executive Budget.

DEPARTMENT ID: 04B Department of Justice
 AGENCY ID: 04-141 Office of the Attorney General
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GENERAL PERFORMANCE INFORMATION:					
PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES				
	PRIOR YEAR ACTUAL FY 1996-97	PRIOR YEAR ACTUAL FY 1997-98	PRIOR YEAR ACTUAL FY 1998-99	PRIOR YEAR ACTUAL FY 1999-00	PRIOR YEAR ACTUAL FY 2000-01
Number of criminal investigations initiated ¹	151	264	301	1,055	561
Number of criminal investigations closed ¹	110	128	241	966	546
Number of task force/joint investigations conducted ¹	21	83	139	835	39
Number of arrests ¹	43	46	113	132	48
Number of citizen complaints handled or resolved.	391	309	258	232	248

¹ Loss of staff resulting in limited participation in task forces has resulted in a reduction in general performance data.

DEPARTMENT ID: 04B Department of Justice
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3. (KEY) To maintain (0% increase from FY 2000-2001 performance standard) individual internal time frames for investigation and prosecution of criminal cases.

Strategic Link: This operational objective is related to the program's Strategic Objective I.1: *To provide prompt, efficient, and just resolution of all matters referred to the Criminal Program by accomplishing 100% of objective strategies through June 30, 2006* and Objective III.1: *To offer all Louisiana District Attorneys the services of specialized prosecution units through June 30, 2006.*

Louisiana: Vision 2020 Link: This operational objective is linked to Vision 2020 objective 3.3: *To have safe homes, schools, and streets throughout the state.*

Children's Cabinet Link: Not applicable

Other Link(s): Not applicable

Explanatory Note: To assure efficiency and effectiveness, the Criminal Division and Investigation Division have established internal time frames for various investigative and prosecutorial activities. In FY 2001-2002, each of these individual internal time frames will be either maintained at FY 2000-2001 level--that is, held to the current performance standard for average time frame--or reduced by 20% below current performance standards.

L E V E L	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES					
		YEAREND PERFORMANCE STANDARD FY 2000-2001	ACTUAL YEAREND PERFORMANCE FY 2000-2001	ACT 12 PERFORMANCE STANDARD FY 2001-2002	EXISTING PERFORMANCE STANDARD FY 2001-2002	AT CONTINUATION BUDGET LEVEL FY 2002-2003	AT RECOMMENDED BUDGET LEVEL FY 2002-2003
K	Average number of working days to begin coordination of effort between investigator and prosecutor	12	8.71 ¹	15	15	12 ^{2,13}	to be established ¹³
K	Average number of working days for initial contact with victim(s)/ witness(es) from date of initial consultation between attorney and investigator ³	12	3.96 ⁴	8	8	8	8
	Cooperative Disability Investigations Pilot Project: ⁵						
S	Average number of working days from receipt of disability case to completion of initial review to accept or decline case	14	6.14	10	10	10	10
	Insurance Fraud Section: ⁶						
S	Average number of working days after receipt of DOI insurance fraud complaint referral to assignment of prosecutor ⁷	14	2.66	5	5	5	5

S	Percentage attendance of DOJ personnel at monthly information-sharing meeting of insurance industry and task force representatives ⁸	Not applicable ⁹	Not applicable ⁹	Not applicable ⁹	Not applicable ⁹	100%	100%
S	Percentage of case consultation requests handled within 2 working days ¹⁰	Not applicable ⁹	Not applicable ⁹	Not applicable ⁹	Not applicable ⁹	100%	100%
	Extraditions: ¹¹						
S	Average number of working days to process extradition requests ¹²	5	2.64	5	5	5	5

¹ Improved coordination between Attorneys and Investigators has resulted in time reductions.

² Due to the reduction in positions and funding to the Department in FY 01-02, the Criminal Program is making an effort to improve work processes so as to return to the performance standards of FY 2000-2001.

³ This indicator is measured from the time a case is assigned to a prosecutor until contact with the victim(s) and witness(es) as the investigator involvement is not really relevant at this stage.

⁴ Improved efforts by attorneys and prompt action by victim/witness coordinator resulted in time reductions. In addition, a new case tracking system, new filing system, and new case processing procedures are helping with the overall case management process.

⁵ The Cooperative Disability Investigations pilot project in the Investigations Division is an anti-fraud program of the Disability Determination Services to identify and investigate possible violations of social security disability laws through an evaluation and assessment of claimant information, claimant activities, and facilitators of disability services. The project is conducted through an interagency agreement between the Department of Justice and the Department of Social Services, Bureau of Disability Determination Services.

⁶ Per Act 1312 of 1999, the Department of Justice (DOJ) provides legal services to the Department of Insurance (DOI) and the Louisiana State Police (LSP) Insurance Fraud Unit in the investigation and prosecution on insurance fraud cases.

⁷ Over the past couple of years, the function of DOJ prosecutors has evolved in matters involving insurance fraud. Initially it was the intention of the DOJ to track the number of days to complete an initial review of cases to determine and then to contact appropriate District Attorneys. However, rather than referring cases to the DOJ to review and forward to District Attorneys, State Police is using DOJ prosecutors as consultants during investigations. Upon completion of investigations, they are forwarding the cases themselves directly to the appropriate District Attorneys. The DOJ prosecutors are then only reviewing and referring cases that are investigated by the DOJ investigators resulting in a substantially reduced number of cases in which they actually review and contact District Attorneys. Consequently, the DOJ has decided to replace two indicators previously reported regarding review and contacting District Attorneys with two new indicators that better reflect the workload handled by the DOJ prosecutors.

⁸ Insurance fraud investigators attend monthly meetings of the insurance industry that support the State Insurance Task Force. Contact with the individuals at these meetings are important for training, for liaison purposes, and for information sharing. The presense of DOJ prosecutors is important to provide guidance and training to improve information collection.

⁹ This is a new indicator for FY 2002-2003. It did not appear under Act 11 of 2000 or Act 12 of 2001 and does not have a performance standard for FY 2000-2001 or FY 2001-2002.

¹⁰ Attorneys in the Insurance Fraud Unit receive regular phone calls for consultation from State Police investigators and DOJ criminal investigators regarding matters of insurance fraud. These consultations are an integral part of the daily work of DOJ prosecutors as they advise investigators how to proceed with a criminal investigation. These consultations may include listening to case facts to determine if a crime has been committed or validity of search and arrest warrants. Many consultations continue through the duration of the case. Each consultation is tracked.

¹¹ Extradiction requests in this context do not include those cases with problems that are beyond the control of the department. For information on number of extradition request processed by the department, see the Criminal Division General Performance Information chart.

¹² The average number of working days does not include time during which the Criminal Division is awaiting further documentation from referring jurisdictions.

¹³ The agency provided performance information reflecting preliminary budgetary recommendations, however, the agency was unable to provide performance information related to subsequent budget adjustments prior to publication of the Executive Budget.

DEPARTMENT ID: 04B Department of Justice

AGENCY ID: 04-141 Office of the Attorney General

PROGRAM ID: Program C: Criminal Law and Medicaid Fraud

4. (KEY) Through the Medicaid Fraud Control Unit (MFCU), to provide 23 training programs for state agency personnel and health care providers in the area of prevention and detection of Medicaid fraud and abuse of the infirm and initiate 3 additional proactive projects to detect abuse of the infirm and Medicaid fraud.

Strategic Link: This operational objective is related to the program's Strategic Objective IV.1: *Conduct training sessions for employees of other public and private entities and law enforcement agencies as requested by June 30, 2006.*

Louisiana: Vision 2020 Link: This operational objective is linked to Vision 2020 objective 3.4: *To have a safe and healthy environment.*

Children's Cabinet Link: Not Applicable

Other Link(s): Not Applicable

Explanatory Note: The MFCU is part of a collaborative effort to prevent and combat health care fraud and abuse. Other participants are the Governor's Office of Elderly Affairs, the Department of Health and Hospitals, the American Association of Retired Persons (AARP); the Senior Health Insurance Information Program (SHIIP) in the Department of Insurance; the U.S. Health Care Financing Administration; and area agencies on aging. Louisiana's efforts include the design of a training package and "train the trainer" approach which will enable Louisiana aging network personnel and others to assist beneficiaries understand and identify discrepancies and reporting procedures. The state plans to develop an outreach campaign using printed materials; tracking instruments; training packages and videos, and other educational material. For information on program inputs, outputs, and outcomes, see Medicaid Fraud General Performance Information table. For information on national efforts to prevent Medicaid and Medicare fraud and abuse of the elderly, see the federal Administration on Aging's web page on Anti-Fraud and Abuse Activities (<http://www.aoa.dhhs.gov/ort/default.htm>)

L E V E L	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES					
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K	Number of training programs for state agency personnel and health care providers provided by MFCU	20	29	23	23	23	23
K	Number of proactive projects to detect abuse of the infirm and Medicaid fraud initiated during fiscal year	3	3	3	3	3	3

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GENERAL PERFORMANCE INFORMATION: MEDICAID FRAUD CONTROL UNIT					
	PERFORMANCE INDICATOR VALUES				
PERFORMANCE INDICATOR NAME	PRIOR YEAR ACTUAL FY 1996-97	PRIOR YEAR ACTUAL FY 1997-98	PRIOR YEAR ACTUAL FY 1998-99	PRIOR YEAR ACTUAL FY 1999-00	PRIOR YEAR ACTUAL FY 2000-01
Number of investigations pending from previous fiscal year	181 ¹	242 ²	258 ³	301	256 ⁵
Number of investigations initiated	177	226	228	191	185
Number of investigations closed	99	204	142	235	218
Number of prosecutions instituted	56	70	48	55	37
Number of prosecutions referred to a district attorney	56	70	48	55	37
Number of convictions	48	46	46	43	33
Number of prosecutions pending at end of fiscal year	46 ²	54 ³	46 ⁴	47 ⁵	42 ⁶
Total dollar amount of collections - all sources	\$3,387,730	\$866,863	\$748,797	\$1,325,604	1,048,804
Dollar amount of criminal court ordered restitution collected	\$604,993	\$711,874	\$315,996	\$508,384	410,752
Dollar amount of fines collected	\$133,402	\$40,828	\$41,001	\$31,421	8,729
Dollar amount of civil monetary penalty collected	\$718,434	\$22,537	\$353,535	\$187,510	299,375
Dollar amount of investigation/prosecution costs	\$5,000	\$10,625	\$15,760	\$34,796	31,522
Dollar amount of restitution collected administratively	\$1,925,901	\$80,999	\$22,505	\$563,493	298,426

Total judgments obtained during fiscal year - all sources	\$3,027,972	\$1,220,986	\$3,346,227	\$1,812,278	852,385
Dollar amount of criminal court ordered restitution	\$2,120,253	\$1,142,158	\$2,944,215	\$965,683	283,123
Dollar amount of finds ordered	\$133,552	\$40,828	\$40,694	\$31,421	8,729
Dollar amount of civil monetary penalty ordered	\$755,409	\$32,000	\$351,828	\$353,213	285,938
Dollar amount of investigation/prosecution costs ordered	\$18,758	\$6,000	\$9,490	\$60,269	46,000
Dollar amount of administrative restitution ordered	\$1,925,901	\$84,151	\$24,000	\$401,692	228,595
Total judgment balance outstanding at end of fiscal year - all sources	\$13,072,333 ²	\$13,247,543 ³	\$15,734,794 ⁴	\$16,784,961 ⁵	16,939,291 ⁶

¹ as of June 30, 1996² as of June 30, 1997³ as of June 30, 1998⁴ as of June 30, 1999⁵ as of June 30, 2000⁶ as of June 30, 2001